REMARKS

Claims 1-45 are now pending in the application. Claims 43-45 are new. Support for the foregoing amendments can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

A.   Claims 1-3, 6-9, 11-13, 29-31, 34-37 and 39-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Frazier et al. (U.S. Pat. No. 6,941,350) in view of InfiniBand Architecture Specification Volume 1 Release 1.1 published November 6, 2002 and provided through applicant's IDS submitted 09/30/2003 ("IBA Specification").

B.   Claims 4, 5, 10, 14, 32, 33, 38 and 42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Frazier et al. (U.S. Pat. No. 6,941,350) in view of IBA Specification and in further view of Rooney (U.S. Pat. No. 6,519,660).

C.   Claims 18, 19, 24 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Frazier et al. (U.S. Pat. No. 6,941,350) in view of Rooney (U.S. Pat. No. 6,519,660).

D.   Claims 15-17, 20-23 and 25-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Frazier et al. (U.S. Pat. No. 6,941,350).

These rejections are respectfully traversed. Claims 1 and 29 are directed to a method that includes selecting if the subnet manager is included in a set of standby subnet managers <u>based on the priority value and the globally unique identifier of each</u>

of the plurality of nodes. In other words, claim 1 is directed to selecting if the subnet manager is included in a set of subnet managers, the set of standby subnet managers, based on the priority value and each of the plurality of nodes.

Frazier unarguably fails to teach or suggest this limitation. Frazier at best appears to disclose determining which of a pair of subnet managers has a higher priority and making the subnet manager with a higher priority the active subnet manager. This differs substantially from forming a set of standby subnet managers based on the priority value and the globally unique identifier of each of the plurality of nodes. Applicant can find no mention of selecting a set of standby subnet managers from all the subnet managers based on the ranking of the nodes in Frazier.

Frazier at best appears to disclose that during the SAN fabric configuration process at initial bring-up time, a subnet manager periodically scans the network in order to discover the components that are connected to the network. If the subnet manager finds a component that contains another subnet manager, then the subnet manager negotiates based on a previously setup priority. The lower-priority subnet managers must poll the master to ensure that they will be able to take over if it fails during initialization, or if parameters are changed after the initialization process. In other words, each individual subnet manager regularly scans the subnet and requests other subnet managers to respond their priority values. The individual subnet manager then compares its own priority value to the values of other subnet managers and determines if it needs to switch to a different operation mode such as master or standby.

The Office Action mailed February 5, 2008 states that Frazier teaches "providing each of the plurality of nodes with a subnet manger (Col. 8 lines 38-44)." Applicant has reviewed this citation in detail and respectfully submits that the cited section of Frazier has been mischaracterized. This section at best discloses communication between managers and management agents, not providing each of the plurality of nodes with a subnet manager. Further, the Office Action mailed February 5, 2008 states that Frazier teaches "selecting if the subnet manager is included in a set of standby subnet managers based on the priority value and the globally unique identifier of each of the plurality of nodes (Col. 10 lines 20-38 and Col. 11 lines 49-64: selection can use both priority and guid)." Applicant has reviewed these citations in detail and respectfully submits that these citations at best address negotiation between any pair of subnet mangers. These citations make no mention of or teach or suggest selecting if the subnet manager is included in a set of standby subnet managers based on the priority value and the globally unique identifier of each of the plurality of nodes.

Applicant agrees with the Examiner that Frazier does not explicitly disclose providing a subnet manager within each of the plurality of nodes of the subset. Applicant respectfully traverses the assertion, however, that Frazier's suggestion of having multiple subnet managers implies that any number of subnet managers may be used, including one for each of the plurality of nodes in the subnet. Applicant respectfully transverses the Examiner's assertion that because Frazier suggests multiple subnet managers can be used and provides support for multiple subnet managers, it would have been obvious to one skilled in the art to substitute any number of subnet managers for the subnet, including one for each of the plurality of nodes, for

the predictable result of providing redundancy. Applicant respectfully submits that Frazier teaches away from the claimed selecting if the subnet manager is included in a set of standby subnet managers based on the priority value and the globally unique identifier of each of the plurality of nodes. Defining a set of standby subnet managers facilitates having including a subnet manger within each of the plurality of nodes, as it predefines the negotiation of which subnet manger takes precedence. Failing to have such a set could necessitate the repeated negotiations for which subnet manager takes precedence and would be activated as at best disclosed by Frazier.

Claim 15 is directed to an apparatus in which a subnet manager within each of the plurality of nodes is selectively included in the set of standby subnet mangers based on the priority value and the globally unique identifier of each of the plurality of nodes. Applicant respectfully submits that the arguments made above with respect to claims 1 and 29 and Frazier apply equally to claim 15. Applicant further submits that other cited references fail to cure the deficiencies of Frazier.

In view of the foregoing, applicant submits that claim 1 and its dependent claims 2-14 and 43 define over the art cited by the Examiner. Likewise, claim 15 and its dependent claims 16-28 and 44 as well as claim 29 and its dependent claims 30-42 and 45 define over the art cited by the Examiner for one or more of the reasons set forth above regarding claims 1 and 43.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 2, 2008   By: /Joseph M. Lafata/
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